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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,892	08/21/2001	Ismo Itkonen	100720-00050 (HEIN 18.938	6369

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EXAMINER

LOPEZ, MICHELLE

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,892

Applicant(s)

ITKONEN ET AL.

Examiner

Michelle Lopez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 8-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1, 6
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Election/Restrictions

1. Applicant's election without traverse of claims 1-7 in Paper No. 10 is acknowledged.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d). The certified copy has been received.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the paper wrapper being guided onto the roll in an oblique manner claimed on claim 2, the oblique guidance of the wrapper claimed on claim 4, and a wrapper aligned in an oblique position in regard to the wrapper dispensing system claimed on claim 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, it is not clear what type of roll is wrapped by the method. It is not clear what other type of roll is encompassed by the phrase even in light of the specification. Also, claim 1 is indefinite because the claim recites "a paper web wrapper or the like material" for similar reasons since even in light of the specification it is not clear what other web material it encompass.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Lancaster (US Pat. 4,553,374). Lancaster discloses the invention including a step of taking a roll into a supported position (see Fig. 7) on a wrapping station composed by "30" and conveyors "31, 32, and 33", a web wrapper "58", one wrapper dispensing station with dispensing means "35", overlapping wrapping layers (see Figs. 7-15), transferring the wrapping station in the axial direction of the roll in regard to the wrapper dispensing system (see col. 9, lines 42-50), the web wrapper is guided onto the roll in an oblique manner and is aligned in an oblique position in regard to the wrapper dispensing system (see Figs. 7-15), sharp edges of the wrapper layers are aligned partially overlapping (see Fig. 15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lancaster (US Pat. 4,553,374) in view of Pienta (US Pat. 6,347,498). Lancaster discloses the invention substantially as claimed. Lancaster does not disclose that the wrapping of a plastic wrap is performed in the same wrapping station in conjunction with the web wrapper. However, Pienta teaches that the wrapping of a plastic wrap "116" is performed in the same wrapping station in conjunction with the web wrapper "42-48" for the purpose of providing a protective layer to the wrapped roll eliminating the process steps of handling the wrapped rolls from a first wrapping machine to a second wrapping machine and at the same time reducing the production cycle time. In view of Pienta, it would have been obvious to one having ordinary skill in the art to have provided Lancaster's invention including a process step of wrapping a plastic wrap performed in the same wrapping station in conjunction with the web wrapper in order to provide a protective plastic layer to a wrapped roll eliminating the process step of handling the wrapped rolls from a first wrapping machine to a second wrapping machine.

Regarding claim 7, Lancaster does not disclose that the plastic wrapper is positioned into the gap between the paper wrapper and the roll. However, Pienta teaches a plastic wrapper "112" positioned into the gap between the paper wrapper and the roll (see Figs. 1 and 10) for the purpose of providing a protective plastic layer to the paper roll at the finishing stage of wrapping

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the paper wrapper. In view of Pienta, it would have been obvious to one having ordinary skill in the art to have provided Lancaster's invention including a plastic wrapper positioned into the gap between the paper wrapper and the roll in order to provide a protective plastic layer to a wrapped paper roll in the same wrapping station eliminating the process step of handling the wrapped rolls from a first wrapping machine to a second wrapping machine.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prager (US Pat. 3,290,861), Klebanoff (US Pat. 3,857,486), and Hoopes (US Pat. 5,533,321) are cited to show related inventions.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Lopez whose telephone number is 703-305-8205. The examiner can normally be reached on Monday - Thursday: 8:00 am - 6:00 pm.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 703-308-2187. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



**EUGENE KIM
PRIMARY EXAMINER**